



October 4, 1999

Ms. Lisa Aguilar
Assistant City Attorney
City of Corpus Christi
P.O. Box 9277
Corpus Christi, Texas 78711-2548

OR99-2803

Dear Ms. Aguilar:

You ask whether certain information is subject to required public disclosure under the Public Information Act, chapter 552 of the Government Code. Your request was assigned ID# 128904.

The City of Corpus Christi (the "city") received an open records request for, among other things, two proposals submitted to the city in connection with the city's RFP for workers' compensation third party administration services and workers' compensation cost containment services. You do not contend that the requested proposals are excepted from required public disclosure, but rather seek an open records decision from this office pursuant to section 552.305 of the Government Code. Consequently, this office notified representatives of Barron Risk Management Services ("Barron") and F.A. Richard & Associates, Inc. ("F.A. Richard") that we received your request for an open records decision regarding their proposals. In our letter to Barron and F.A. Richard, this office requested an explanation as to why portions of their respective proposals are excepted from public disclosure, with the caveat that their failure to do so within a reasonable time would result in this office instructing you to disclose the information.

More than fourteen days have elapsed since this office issued its notice, but Barron has failed to provide this office with any explanation as to why its proposal should not be released. Additionally, although F.A. Richard timely replied to our notice, informing us that the compact disk made a part of its proposal is confidential, F.A. Richard has not supplied this office with any explanation as to why the disk should be excepted from required public disclosure. Consequently, we have no basis for applying any exceptions to required public disclosure to the requested information. See Open Records Decision No. 552 (1990). The city, therefore, must release the requested proposals in their entirety.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts

presented to us in this request and should not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Sincerely,



William Walker
Assistant Attorney General
Open Records Division

WMW/RWP/nc

Ref.: ID# 128904

cc: Mr. Mundy Hebert
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(w/o enclosures)

Ms. Sally Lopez
Director of Operations
Barron Risk Management Services
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(w/o enclosures)

Mr. Kirk Lindemann
F.A. Richard & Associates, Inc.
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(w/o enclosures)